

City Council Atlanta, Georgia 03-0-0063

A SUBSTITUTED & AMENDED ORDINANCE BY ZONING COMMITTEE

Z-02-94 2-13-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at 1150 Astor Avenue, S.W. be changed from the I-2 (Heavy Industrial) and R-4 (Single-Family Residential) Districts to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 122 of the 14<sup>th</sup> District of Fulton County, Georgia, being more particularly described the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

Deputy Clerk

ADOPTED as amended APPROVED by the Mayor

March 17, 2003 March 25, 2003 Legal Description

All that tract or parcel of land lying and being in Land Lot 122 of the following the District of Fulton County, Georgia and being more particularly described as follows:

To reach the true point of beginning commence at a point being the MARTA control monument "Lakewood 2"; thence running South 85° 07' 51" East a distance of 741.72 feet to a point on the northerly right of way of Lakewood Avenue and the TRUE POINT OF BEGINNING, from point thus established and leaving said right of way of Lakewood Avenue and running North 01" 29" 22" East a distance of 894.97 feet to a point on the southerly right of way of Astor Avenue (Relocated- Variable R/W); thence along said right of way the following bearings and distances: North 75° 53' 57" East a distance of 144.65 feet to a point; thence along a curve to the right an arc distance of 86.00 feet (said curve having a radius of 173.50 feet; a chord distance of 85.12 feet and a chord bearing of North 89° 52' 41" East) to a point with the intersection of the westerly right of way of Arrow Street (Variable R/W); thence leaving said right of way of Astor Avenue and running along said right of way of Arrow Street the following bearings and distances: along a curve to the right an arc distance of 60.08 feet (said curve having a radius of 58.50 feet; a chord distance of 57.48 feet and a chord bearing of South 46° 30' 51" East) to a point; thence along a curve to the right an arc distance of 56.29 feet (said curve having a radius of 173.50 feet; a chord distance of 56.04 feet and a chord bearing of South 07" 48' 15" East) to a point; thence South 01" 29' 22" West a distance of 756.65 feet to a point; thence along a curve to the right an arc distance of 44.93 feet (said curve having a radius of 173.50 feet; a chord distance of 44.80 feet and a chord bearing of South 08° 54' 28" West) to a point; thence along a curve to the right an arc distance of 61.35 feet (said curve having a radius of 58.50 feet; a chord distance of 58.58 feet and a chord bearing of South 46° 22' 13" West) to a point on the northerly right of way of aforementioned Lakewood Avenue; thence along said right of way and running North 88° 29' 01" West a distance of 229.06 feet to the true POINT OF BEGINNING. Said tract containing 5.827 acres.

2-02-94

FEB 1 1 2003

MUREAU OF

PLANNING

THIS WALL OF IT AT HAS BUTH DEFOUNTED THE TUSSUED MICHS FOUND TO BE ACCURANS TO MICHIS ONLY CODE OF JUSQUESS, LEFFT A \_\_IQENCEL\_FORM\_LEVAL\_\_POAR\_STANDER AND AND DE AN \_\_ILENATIA CELLECTOR WERE DESPARABLED. (FE THE SELECTION AND AND DEAL DESIGNATION OF THE SELECTION OF THE THE FIRST DATA (PROVIDE ACTION). TAY IN MARCH FIRE A CHOSE BY PROOF OF SOUTH AND ALL MARCH OF FIRE OF DECEMBER AND ALL MARS MOUNTS IN PROFESSION (CONTROL OF CONTROL OF CONTROL

UARTA MUNIMEN LARENCEO - 54 M. 134565 - 154 F. 2216652 159 LUTH 1047 10

\$ 850757 71.72

202.00

N 88 29 (1) 1 229 (N

RELOCATED LAKENDOD AVENUE 200 Are 61.35' Red 5850' S 4672'13"W 58.58

PRINTED FEB 1 1 2003 SERVICES, INC.

CO. LANGARTA CRO. SCREEN FLE. LANGARTA DING

COLUMBIA RESIDENTIAL, I.I.C

LAND LOT 12

101, TWO COUNTY

ACCUMENT 13, 2002 A PURED BEST MANDELET = 60

PITCHMIE 23, 3002 A PURED BEST MODERNIN LONG

PITCHMIE 23, 3002 A PURED BEST MODERNIN LONG

PITCHMIC AL SURVEY SERVICES (720) 825-640

AND LONG TO THE COUNTY LONG

PARTICIPATION STORY AND LONG

PARTICI

BOUNDARY SURVEY

S 08 34 28 W 44.80

7-02-94

HEGEN! STREET

METIBERE SCHEN FOR MODELIAM METIBERE SCHENFOR AND MODELIAM STUDIE SCHENFOR AND MODELIAM SCHENFOR AND BOOKER AND MODELIAM ENGAGENHAG COMBAIN MATERIA 19-11-88

NOT TON SINGWANDERIN TIV.

MOLEUS MAN

MURPHY AVENUE

(F) TE LAND LOT

Œ

ESCALA SOS

5

S 01 29 22 # 136.65 ASTOR - LAKEWOOD CONNECTOR A.K.A. ARROW STREET

LAKEWOOD MARTA STATION

Tenders Tran

WOL SHOWN

SPACES SPACES

'n

Vertice 4

ŝ

5

CHARACTER TO THAT THE ACTION TO THAT THE ACTION TO THE ACTION TO THE ACTION TO THAT THE ACTION TO THAT THE ACTION TO THAT THE ACTION TO THE ACTION THE ACTION TO THE ACTION TO THE ACTION TO THE ACTION TO THE ACTIO

CRAPHIC SCALE FEET

A county for the point of the point of commerce and county form (the county form) of the county form of the county form of the county form of the county form).

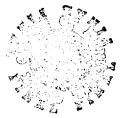
3.1 (as it is shown as the county form of the county form) and a county form of the county for the county form of the county for the county form of the county for the county form of the county for the county form of the county for the county form of the county for the county for the county form of the county for the county for the county for the county form of the coun

5 07.48 15 T 56.04

ASTOR AVENUE

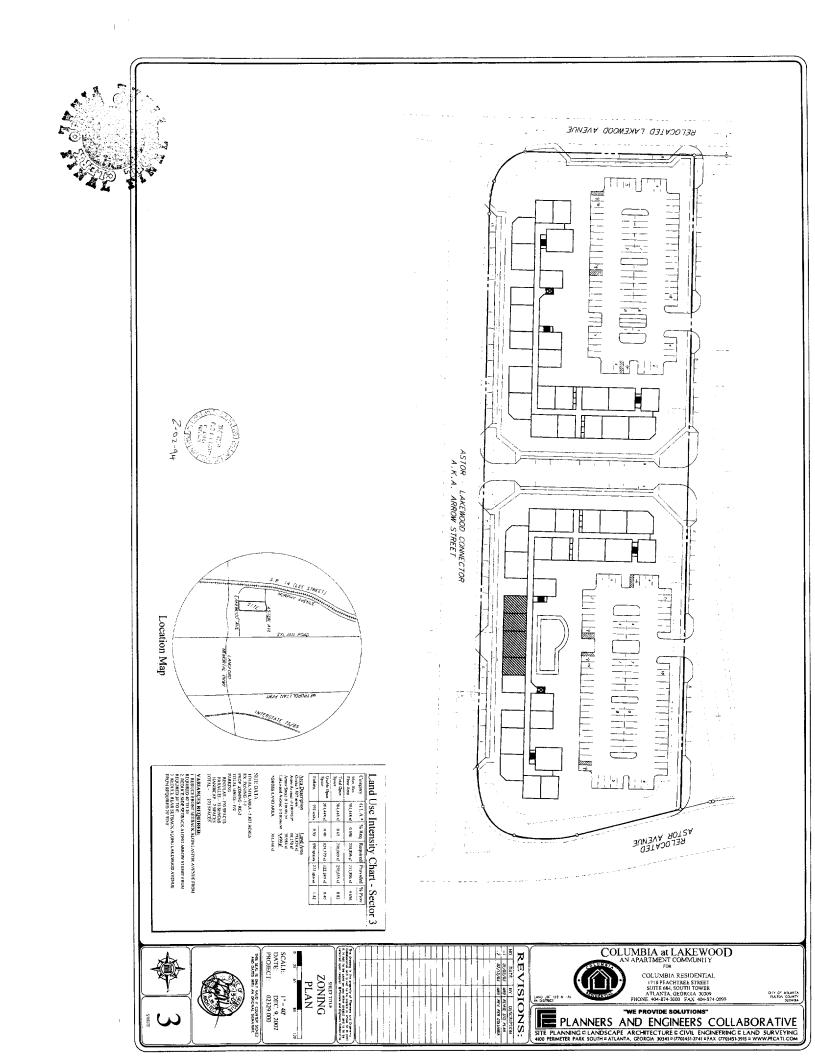
Legal Discription

will that the panel of ment iping and tering in Land Leil 122 of the
field District of Fullen County, George and having more partections
described as follows:



# CONDITIONS FOR Z-02-94 1150 Astor Avenue, S.W.

- 1. Site plan dated January 2, 2003, titled, "Columbia at Lakewood Apartment Community", by Planners and Engineers Collaborative, and stamped received by the Bureau of Planning on January 3, 2003.
- 2. The 11 conditions enumerated in the attached letter dated February 12, 2003 from NPU-X is hereby considered a condition of the rezoning and its provisions shall be enforced as such.
- 3. The hand written condition marked as condition #12 is also hereby considered a condition of the rezoning and its provisions shall be enforced as such



### **12 February 2003**

Bureau of Planning
Oity Hall South Building
68 Mitchell Street, SW
Suite 3350
Atlanta, Georgia 30335-0310

### Dear John Bell, Zoning Administrator

This purpose of this letter is to state the support of Neighborhood Planning Unit X for zoning case Z-02-94, 1150 Astor Avenue SW, rezoning from I-2 to RG-3 with conditions. At the request of the Sylvan Hills Neighborhood Association on January 6, we formed an ad-hoc committee to address this case. We do not necessarily agree that RG-3 is the appropriate zoning district for this proposal, however, the developer was hesitant to use one of the new Quality of Life districts as they have not yet been tested, and also needed the rezoning by February in order to apply for affordable housing tax credits. We agreed to work with them and after over a month of meetings, NPU-X voted overwhelmingly to support the rezoning with the following conditions on February 10.

## In addition to the requirements of the RG-3 zoning district, the following conditions shall apply:

- 1. Work times for all phases of work including demolition, site grading and construction, shall be limited to the hours of 6:00 am to 8:00 pm Monday through Saturday. Work on the building interiors may extend beyond those hours so long as the exterior shell of the buildings are substantially complete and the work does not create excessive light or noise.
- 2. Truck traffic during all phases of work including demolition, site grading and construction, shall be prohibited eastward along Astor Avenue between Arrow Street and Sylvan Road, shall be prohibited along Lakewood Avenue/Estes Drive between Arrow Street and Sylvan Road and shall be prohibited along Murphy Avenue and Regent Street. Truck traffic shall travel westward along Astor Avenue, under the railroad to Lee Street and beyond.
- 3. The north-south drive that currently divides the parking areas from the bus training area shall remain as a street and shall also connect south to Lakewood Avenue. A new east-west street connection shall be made between Arrow Street and Murphy Avenue. Both of these connections shall be public streets or private streets with permanent, 24-hour public access and shall allow pedestrians and vehicles to get from the Sylvan Hills neighborhood to the MARTA station. All streets shall have on-street parking for the full length of each block.
- 4. Sidewalks shall be constructed surrounding the property on all sides, including the new street connections. These sidewalks shall consist of a minimum 5' planting zone adjacent to the curb and a minimum 6' clear walking zone. Planting zones shall be landscaped with evergreen ground cover and have street lights and street trees at 40' on center. New street trees shall have a minimum 3" caliper.
- 5. Buildings shall primarily face Arrow Street and the new east-west connecting street. Buildings facing Arrow Street shall have a *maximum* setback of 25' to curb. Buildings facing the new east-west street shall have a *maximum* setback of 18' to curb.

- 6. Harking areas shall be interior to the lot and screened from public view by landscaping.
  Verhicular entry to and exit from the parking lots shall be limited to the new north-south street.
  Parking lots shall be landscaped with tree islands.
- Buildings shall have multiple pedestrian entries from the street so that on-street visitor parking is encouraged.
- 8. Buildings shall be constructed with facades of brick (min, 50%) and stucco (max. 50%). If a synthetic stucco system is used, it shall be not be used within 8' of the ground on elevations facing the street.
- There shall be no wall or fence between the public right-of-way and the building facade.
   Instead, the building itself shall be used to provide security to the interior of the building, the lot and parking areas.
- 10. Air conditioning units and other mechanical equipment, as well as gas and electrical meters, shall not be located in front of any building facing a street.
- 11. The leasing office, fitness center, computer lab, club room and other amenity spaces shall be located on the ground level at the corner closest to the MARTA station entrance and shall have the appearance of street-front retail. The leasing office shall have a public entry door to the street that remains open during regular business hours.

In addition to the above conditions to Z-02-94, NPU-X makes the following three requests of the City of Atlanta and MARTA:

- We do not believe that RG-3 is the appropriate zoning district for this property. Therefore NPU-X requests from the City a development plan for the Murphy Avenue industrial corridor from state route 166 north to Sylvan Road to study the appropriate zoning and future use of this district.
- 2. Astor Avenue is the primary pedestrian connection between the Sylvan Hills neighborhood and MARTA station, yet there are no sidewalks along that route. NPU-X requests the City to construct a sidewalk along both sides of Astor Avenue between Arrow Street and Sylvan Road. There is already a sidewalk on the south side of Astor between Sylvan Road and Evans Drive, so the total length of sidewalk required including both sides is less than one mile.
- NPU-X also requests that MARTA clean and maintain the front of its property on the east side of Arrow Street.

Thank you for your consideration of these conditions and requests.

Joyce Sheperd

Chair, Neighborhood Planning Unit X

cc: Beverly Dockeray-Ojo, Director of Planning Ryan Anderson, Staff Planner Council Member, Derrick Boazman Valarie Bell-Smith

### Atlanta City Council

### Regular Session

03-0-0063 Z-02-94; Rezone 1150 Astor Ave. from I-2 & R-4 to RG-3-C ADOPT/SUB/AMEND

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

| Y  | Smith   | Y  | Archibong | Y | Moore   | NV | Mitchell |
|----|---------|----|-----------|---|---------|----|----------|
| Y  | Starnes | NV | Fauver    | В | Martin  | Y  | Norwood  |
| Y  | Young   | NV | Shook     | Y | Maddox  | Y  | Willis   |
| NV | Winslow | Y  | Muller    | Y | Boazman | NV | Woolard  |

#### □Consent □V Vote ☑RC Vote ☐2nd ☐1st & 2nd ☐ 3rd Readings COUNCIL ACTION REBUILE MAYOR'S ACTION U GAR 1 7 2065 AL BALL CLERK CERTIFIED MAR 1 7 203 Fav, Adv, Held (see rev. side) Fav, Adv, Held (see rev. side) Committee Members Refer To Members Refer To Offers Chall Offer Actions Date Chair 를 First Reading くろう Fay, Adv, Held (see rev. side) Action: Fav, Adv, (Held (see rev. side) 2023 ころてのと Committee Members Committee クマラマ Committe Members Refer To Refer To Chair 1-2 (HEAVY INDUSTRIAL) DISTRICT AND METROPOLITAN ATLANTA ON THE SOUTH SIDE OF ASTOR AVENUE SOUTHWEST ATLANTA DEVELOPMENT THE R-4 (SINGLE-FAMILY RESIDENTIAL) AN ORDINANCE TO REZONE FROM THE AVENUE, S.W., FRONTING 362.26 FEET LAND LCT 122, 14TH DISTRICT, FULTON ADOPTED BY CORNER OF ARROW STREET. DEPTH: DISTRICT TO THE RG-3 (RESIDENTIAL PROPERTY LOCATED AT 1150 ASTOR MAR I 7 2003 Coning COUNCIL 882.99 FEET; AREA: 6.725 ACRES; 03- / -0063 (Do Not Write Above This Line) COUNCIL DISTRICT 12 GENERAL-SECTOR 3) DISTRICT 1st ADOPT 2nd READ & REFER KAPID TRANSIT AUTHORITY AT THE 12107 BY: ZONING COMMITTEE REGULAR REPORT REFER ADVERTISE & REFER COUNTY, GEORGIA. CONSENT REFER AN ORDINANCE BEGINNING APPLICANT: Date Referred AUTHORITY Referred To: CWNFR: